APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,626	03/08/2001	Hubrecht Lambertus Tjalling De Bliek	PHNL 000130	8314

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EXAMINER
BONSHOCK, DENNIS G

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<table>
<tr>
<td rowspan="2" style="vertical-align: middle;">Office Action Summary</td>
<td>Application No.

09/801,626</td>
<td>Applicant(s)

DE BLIEK ET AL.</td>
</tr>
<tr>
<td>Examiner

Dennis G. Bonshock</td>
<td>Art Unit

2173</td>
<td></td>
</tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>18 November 2004</u>.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
     closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-16,18 and 19</u> is/are pending in the application.
     4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-16,18 and 19</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
     a) ☐ All   b) ☐ Some * c) ☐ None of:
        1. ☐ Certified copies of the priority documents have been received.
        2. ☐ Certified copies of the priority documents have been received in Application No. _____.
        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
           application from the International Bureau (PCT Rule 17.2(a)).
     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
       Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
       Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   It is hereby acknowledged that the following papers have been received

and placed on record in the file: Amendment as received on 11-29-2004.

Claims 1-19 have been examined.

Status of claims:

2.   Claims 1-16, 18, and 19 are rejected under 35 U.S.C. 102(b) as being

anticipated by Roewer, Patent # 5,734,915.

3.   Claim 17 as been canceled by the applicant.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims 1-16, 18, and 19 are rejected under 35 U.S.C. 102(b) as being

anticipated by Roewer, Patent # 5,734,915.

6.   With regard to claim 1, which teaches an interface for processing and

presenting image data, Roewer teaches, in column 4, line 33 and column 4, line

46, providing a GUI for medical imagery in which all necessary information is

visible. With regard to claim 1 further teaching arrangement to co-operate with a

database for obtaining image data, Roewer teaches, in column 8, line 66, an

operator loading a patients image data from a local database. With regard to

claim 1 further teaching a visual display unit, Roewer teaches, in column 4, line

48, displaying the images on a workstation. With regard to claim 1 further

teaching an input member allowing for communication, Roewer teaches in

column 4, line 59, input via a mouse, hot keys, and other input devices. With

regard to claim 1 further teaching the interface being arranged to select an image

from each group of coherent image data, Roewer teaches, in column 11, lines

45-48, stepping through a hierarchy to select image data. With regard to claim 1

further teaching forming a pictorial representative of the selected image, Roewer

teaches, in column 4, lines 50-57, providing a visual representation of the

images. With regard to claim 1, further teaching causing the representative

pictorial to be displayed on the display unit, Roewer teaches, in column 13, line

35 and figures 4a-c, the display of the images. With regard to claim 1, further

teaching the interface arranged to cause the display unit to display a plurality of

representative pictorials in a row adjacent to one another, Roewer teaches, in

column 13, lines 35-47, in column 9, lines 55-64 and in figures 4a-c, display of a

plurality of representative pictorials in rows adjacent to one another. With regard

to claim 17, further teaching the pictorials being formed from an image selected

from a different group of coherent image data, Roewer teaches, in column 11,

lines 34-36 and lines 45-54, using images from several different sources of

grouped images (patient hierarchies) to create the select group of images

(PCW), and further teaching, in column 45, lines 53-59, that with the window

used for arrangement (PCW) the user can compose new images, based on

previously captured images and translate the images in to ACR-NEMA communication format.

7.   With regard to claim 2, which teaches image data combined with attribute data and that characterizes a patient or relevant image data, and that the interface is arranged to select feasible applications for each group and separately adds a reference to each that was characterized the same, Roewer teaches, in column 5, line 42, that images, text, and graphics items can be sent to a storage device for later retrieval. In column 19, lines 52-60 and column 20, line 48, Roewer teaches that his text templates contain modality (form defining) information concerning the attributes of the source modality that produced the medical image, and other physical or technical attributes of the image. Roewer goes on to teach that these text templates can be referenced by ID numbers, which index to where it is stored. With regard to it being arranged to select, Roewer teaches, in column 11, line 45, being arranged in a hierarchical manner for selection of specific images.

8.   With regard to claim 3, which teaches that the user interface is arranged to add or remove an application selected by a user or from an image selection, Roewer teaches, in column 14, lines 20-30, that there are provide image tools to directly manipulate an image, and that an operator can temporarily hide text, drawing lines, or symbols placed on the screen.

9.   With regard to claim 4, which teaches displaying feasible applications on the display unit, Roewer teaches, in column 19, lines 52-60 and column 20, lines 48-53, that his text templates contain modality (form defining) information

concerning the attributes of the source modality that produced the medical

image, and other physical or technical attributes of the image. With regard to

claim 4, which further teaches after selection of an application by the user, the

interface performs selection of every one in that group, Roewer teaches, in

column 9, lines 45-48, the operator opening a patient's window where he can

specify all the patient's images to be displayed. With regard to claim 4, which

further teaches presenting only the image selections that characterize the image

data to the display, Roewer states, in column 11, lines 45-49, that the GUI

provides a dialogue box which steps through a patient hierarchy (patient-study-

series-acquisition-images) to select patient image data.

10.   With regard to claim 5, which teaches that the interface causes the display

to show feasible sub-functions for each application and that each of these sub-

functions can be individually selected by a user, Roewer teaches, in column 4,

line 46 and column 6, lines 7-14, that there are window oriented commands

organized by type of action (application), and that the user can step from

presenting a set of graphical interface commands at a workstation to actually

manipulating the image display in response to the commands.

11.   With regard to claim 6, which teaches the applications adjusted in a

desired processing order, Roewer teaches, in column 3, lines 7-15, the adaptable

and upgradeable nature of the image processing system.

12.   With regard to claim 7, which teaches a medical analysis apparatus, ·

Roewer teaches, in column 4, line 33 and column 4, line 46, providing a GUI for

medical imagery in which all necessary information is visible. With regard to

claim 7 further teaching arrangement to co-operate with a database for obtaining

image data, Roewer teaches, in column 8, line 66, an operator loading a patients

image data from a local database. With regard to claim 7 further teaching a visual

display unit, Roewer teaches, in column 4, line 48, displaying the images on a

workstation. With regard to claim 7 further teaching an input member allowing for

communication, Roewer teaches in column 4, line 59, input via a mouse, hot

keys, and other input devices. With regard to claim 7 further teaching the

interface being arranged to select an image from each group of coherent image

data, Roewer teaches, in column 11, lines 45-48, stepping through a hierarchy to

select image data. With regard to claim 7 further teaching forming a pictorial

representative of the selected image, Roewer teaches, in column 4, lines 50-57,

providing a visual representation of the images. With regard to claim 7, further

teaching causing the representative pictorial to be displayed on the display unit,

Roewer teaches, in column 13, line 35 and figures 4a-c, the display of the

images. With regard to claim 1, further teaching the interface arranged to cause

the display unit to display a plurality of representative pictorials in a row adjacent

to one another, Roewer teaches, in column 13, lines 35-47, in column 9, lines 55-

64 and in figures 4a-c, display of a plurality of representative pictorials in rows

adjacent to one another. With regard to claim 17, further teaching the pictorials

being formed from an image selected from a different group of coherent image

data, Roewer teaches, in column 11, lines 34-36 and lines 45-54, using images

from several different sources of grouped images (patient hierarchies) to create

the select group of images (PCW), and further teaching, in column 45, lines 53-

59, that with the window used for arrangement (PCW) the user can compose

new images, based on previously captured images and translate the images in to

ACR-NEMA communication format.

13.   With regard to claims 8 and 9, which teach the interface being arranged to

display feasible applications and the image data that can be processed by the

selected application, Roewer teaches, in column 11, lines 45-54, a hierarchy of

patient image data, where the user can select a patient and step through the

available acquisitions (devices, complete with accompanying programs), to the

individual images.

14.   With regard to claim 10, which teaches the application and sub-functions

being adjustable in desired processing order, Roewer teaches, in column 3, lines

7-15, the adaptable and upgradeable nature of the image processing system,

which is what the specification of the application states is the purpose of

adjusting processing order.

15.   With regard to claim 11, which teaches the application being adjustable in

desired processing order, Roewer teaches, in column 3, lines 7-15, the adaptable

and upgradeable nature of the image processing system, which is what the

specification of the application states is the purpose of adjusting processing

order.

16.   With regard to claim 12, which teaches the sub-functions being adjustable

in desired processing order, Roewer teaches, in column 3, lines 7-15, the

adaptable and upgradeable nature of the image processing system, which is

what the specification of the application states is the purpose of adjusting

processing order.

17.   With regard to claim 13, which teaches the image data being medical

image data, Roewer teaches, in column 4, lines 33-38, the graphical user

interface for medical imagery.

18.   With regard to claim 14, which teaches the representative pictorial is a

small image showing coarse details only formed from the selected image of each

group of coherent image data, Roewer teaches, in column 13, lines 50-55,

displaying a single frame to examine finer detail.

19.   With regard to claim 15, which teaches the interface being arranged to

display only feasible applications for each group of image data simultaneously

and in association with the pictorial representation of the image selected from the

group of coherent image data, Roewer teaches, in column 4, lines 50-57,

arrangement so that only relevant information is displayed and grouping image

data.

20.   With regard to claim 16, which teaches the image being combined with

attribute data, Roewer teaches, in column 19, lines 15-20, the image having

attribute data. With regard to claim 16, further teaching analyzing attribute data

to determine whether to display the image data upon receiving a viewing

command as a film or individually as pictorials, Roewer teaches, in column 9,

lines 40-51 and column 11, lines 45-48, the selection of patient images for

display where selection is based the specific patient hierarchy and the available

cameras which also define certain formatting information (film size, frame layouts

available).

21.   With regard to claim 18, which teaches displaying all applications for each

group of coherent image data simultaneously and in association with the pictorial

representation of the image, Roewer teaches, in column 11, lines 45-54,

displaying through a patient hierarchy, where acquisitions (grouped by

application) lead to the actual images from that specific device. With regard to

claim 18, further teaching contrasting feasible application for each group of

coherent image data with non-feasible applications, Roewer teaches, in column

4, lines 50-57, arrangement so that only relevant information is displayed

(applications that are not feasible will not even be displayed, or in another

common case grayed out)

22.   With regard to claim 19, which teaches the image data combined with

attribute data in a database, which characterizes a patient, or the relevant image

data, Roewer teaches, in column 9, lines 40-51 and column 19, lines 15-20, the

image having attribute data where the image is stored in a database. With

regard to claim 19, further teaching the interface selecting feasible applications

for each group of coherent image data, Roewer teaches, in column 11, lines 45-

54, displaying through a patient hierarchy, where acquisitions (images from a

specific device running a specific application) lead to the actual images from that

specific device. With regard to claim 19, further teaching the display of only

those representative pictorial for which the selected application is available,

Roewer teaches, in column 11, lines 45-54, selection through a patient hierarchy,

where acquisitions (images from a specific device running a specific application)

lead to the actual images from that specific device.

Response to Arguments

23.   The arguments filed on 11-29-2004 have been fully considered but they

are not persuasive. The reasons are set forth below.

24.   With respect to the applicant's argument that, Roewer does not disclose,

teach or suggest displaying a plurality of representative pictorials in a row

adjacent one another.

25.   In response, the examiner respectfully submits that Roewer teaches, in

column 13, lines 35-47, in column 9, lines 55-64, and in figures 4a-4c, a

representation in which a plurality of images are displayed adjacent one another

in a series of rows.

26.   With respect to the applicant's argument that, Roewer does not disclose,

teach or suggest forming a plurality of pictorials, each representative of an image

selected from a different group of coherent image data.

27.   In response, the examiner respectfully submits that Roewer teaches, in

column 11, lines 34-36 and lines 45-54, using images from several different

sources of grouped images (patient hierarchies) to create the select group of

images (PCW), and further teaching, in column 45, lines 53-59, that with the

window used for arrangement (PCW) the user can compose new images, based

on previously captured images and translate the images in to ACR-NEMA

communication format.

28.   With respect to the applicant's argument that, Roewer does not disclose

displaying applications for a coherent group of image data "simultaneously and in

association with" the pictorial representation of the image selected from the

coherent group of image data.

29.   In response, the examiner respectfully submits that Roewer teaches, in

column 20, lines 44-53, the system being able to display patient demographic

information (patient name, study date, number of images in a series of images)

and modality information (attributes of the source modality, physical and

technical attributes) superimposed over the medical image.
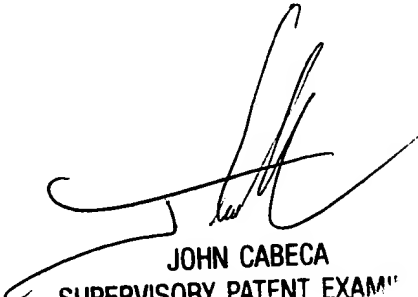
Conclusion

30.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G. Bonshock whose telephone number is (571) 272-4047. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

31.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

32.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

1-27-05
dgb

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SUPERVISORY PATENT EXAM''
TECHNOLOGY